

The Kentucky State Board for Proprietary Education

January 28, 2011

A regular meeting of the Kentucky State Board for Proprietary Education was conducted on January 28, 2011 at the Office of Occupations and Professions, in Frankfort, Kentucky.

Members Present

Bill Johnson, Chair
Jan Gordon
Gurvant Shah
Alison Cuentas
Mike Powers
Dr. Meade
Lois Weaver
David Keene

Members Absent

Vivian Nash
Glen Wilham

Occupations and Professions Personnel

Lindsey Lane, Board Administrator
David Garr, Acting Executive Director

Others

LaTasha Buckner, Deputy Executive Director of
the Office of Legal Services, Public Protection
Cabinet
Peter Martinello, Lincoln College of
Technology
Eric Christy, Lincoln College of Technology
Lori Mann, Auditors Office
Libby Carlin, Auditors Office
Donna Parker, Georgetown Nurse Aide
Training Center
Cindy Landry, ATA College
Derris Hedger, Kentucky State Police
Tom Barren, Board Investigator

Mr. Garr, Acting Executive Director of the Office of Occupations and Professions called the meeting to order at 9:03am.

New Board Member David Keene was sworn in by Carolyn Benedict

The Board held their annual election of chairman. With Bill Johnson being the nominee Mr. Powers made a motion that Mr. Johnson be named Chairman of the Kentucky State Board for Proprietary Education. Ms. Gordon seconded that motion and it carried unanimously.

Libby Carlin from the Auditor's Office spoke to the Board about the current audit being performed by the Auditor's Office. Ms. Carlin explained the scope of the audit and how once completed they would make some recommendations to the Board.

Chairman Bill Johnson began restructuring the current committees the Board has and made new assignments. The committees will now have the following members:

Complaint Committee

Mike Powers, Chairman

David Keene

Alison Cuentas

New Schools/Programs

Jan Gordon, Chair

Lois Weaver

Gunvant Shah

Dr. Steven Meade

CDL Committee

Glen Wilham, Chair

Derris Hedger, KSP

Dr. Tom Barren

The Board began committee work and reconvened at 10:26am.

Approval of Minutes

Minutes of the December 17, 2010 were presented for the Board's review. Mr. Powers made a motion to approve the minutes as presented. Dr. Meade seconded that motion and it carried unanimously.

Approval of Financial Statements

The financial statement for the month ending December 31, 2010 was presented for the Board's review. Ms. Weaver made a motion to approve the financial statement. Mr. Shah seconded that motion and it carried unanimously.

Licensure Status Report

The Board reviewed the Licensure Report for the month ending December 31, 2010. The report showed there are currently 130 Resident Schools and 30 Non-Resident Schools for a total of 160 Licensed Schools. There are also 200 School Agents and 35 CDL Instructors licensed by the Board.

Executive Director Report

Mr. Garr informed the Board that beginning February 1, 2011 the Office of Occupations and Professions would have a new Executive Director. Shannon Tivitt from Louisville will be serving as the new Executive Director. Ms. Tivitt is very familiar with Boards and Commissions and will prove to be a great asset to this office.

Board Administrator Report

Ms. Lane informed the Board of all actions that she had taken since the December 31, 2010 meeting. She reported all schools that were sent letters from her regarding decisions that had been made by the Board in December. Ms. Lane also stated that she had drafted a letter to the Auditor's Office requesting an audit then before the letter was sent the Auditor's Office began conducting their audit of the Board. Ms. Lane also sent a letter to the Attorney General's Office requesting any Decker College information that they may have that the Board should have the chance to review.

Board Counsel Report

LaTasha Buckner reported there is an RFP currently posted for the Boards legal services. The announcement will close on February 2, 2011. Ms. Buckner asked for a committee of three to review proposals as they come in. The committee will consist of the following:

Lois Weaver

Mike Powers

Shannon Tivitt

LaTasha Buckner

Board Chair

Mr. Johnson did not have a report at this time.

New Schools / Programs Committee

Application for a New Program

Mr. Shah made a motion to approve the Application for the following New Program at Lincoln College of Technology located in Florence, Kentucky:

- Practical Nursing

Ms. Weaver seconded that motion and it carried.

Ms. Weaver made a motion to approve the Application for the following New Program at KY Health Training, LLC located in Lexington, KY:

- Certified Billing and Coding Specialist

Ms. Shah seconded that motion and it carried unanimously.

Dr. Meade made a motion to approve the Application for the following New Program at Georgetown Nurse Aide Training Center located in Georgetown, KY:

- Certified Billing and Coding Specialist

Ms. Weaver seconded that motion and it carried unanimously.

Dr. Meade made a motion to approve the Application for the following New Program at NASCAR Technical Institute located in Mooresville, North Carolina:

- Automotive Technology w/NASCAR & NATT

Mr. Shah seconded that motion and it carried unanimously.

Application to Revise an Existing Program for 25% or More

Mr. Keene made a motion to approve the following revision to an existing program for 25% or more at Lincoln College of Technology in Florence, Kentucky:

- Medical Coding and Billing

Ms. Weaver seconded that motion and it carried unanimously

Notification to Revise an Existing Program for Less Than 25%

Ms. Gordon made a motion to acknowledge receipt of the following revisions of the existing programs at Lincoln College of Technology for less than 25%:

- Business Management
- Computer Networking and Security
- Criminal Justice
- Medical Assisting Technology
- Medical Assistant
- Therapeutic Massage and Bodywork Technology
- Phlebotomy

Ms. Cuentas seconded that motion and it carried unanimously.

Mr. Shah made a motion to acknowledge receipt of the following revisions of the existing program at Medtech College for less than 25%:

- Medical Assistant

Ms. Weaver seconded that motion and it carried unanimously.

Mr. Shah made a motion to acknowledge receipt of the following revisions of the existing programs at the Louisville location of Spencerian College for less than 25%:

- Phlebotomy
- Clinical Assistant with Phlebotomy
- Medical Assistant with Phlebotomy
- Medical Administrative Management with Phlebotomy
- Limited Medical Radiography with Phlebotomy
- Medical Clinical Specialties
- Clinical Laboratory Assistant

Mr. Powers seconded that motion and it carried. Ms. Gordon and Mr. Keene both recused themselves.

Application to Award and Associate Degree

Ms. Weaver made a motion to approve the application to Award an Associate Degree at Lincoln College of Technology in the following areas:

- Paralegal Studies
- Health Information Technology

Dr. Meade seconded that motion and it carried unanimously.

Review of PE-11 Forms for Instructional Staff & Key Administrative Personnel

Mr. Powers made a motion to approve the PE-11 forms for the following schools:

- Spencerian College – Louisville Campus
- Spencerian College – Lexington Campus
- Wyo Tech

Mr. Shah seconded that motion and it carried. Ms. Gordon and Mr. Keene recused themselves.

Commercial Drivers License Committee Report

There was no CDL report at the January meeting. The new forms will be online this week with revised curriculum and regulations for the public to view.

Complaint Review Committee Report

The Complaint Review Committee met with Board Investigator Tom Barron. Mr. Barron explained he did a thorough investigation of the facility in complaint #2010-002. Mr. Powers made a motion to dismiss this complaint due to lack of justification. Ms. Weaver seconded that motion and it carried. Ms. Gordon and Mr. Keene recused themselves.

Mr. Powers received a letter from the school in complaint # 2010-004 stating the student who filed the complaint has still not submitted a signed copy of the Student Release of Records. This case will remain pending along with case # 2011-001.

Investigator Report

Dr. Barren reported he visited Lincoln College of Technology to review new Associate Programs being offered.

Old Business

Ms. Gordon explained to the Board that a decision needs to be made soon so the Board can move forward with the actions regarding the Decker College claims submitted to the Student Protection Fund. The Board will form a subcommittee to review these claims once again to determine if criteria was met by students to receive a reimbursement. Ms. Lane will set that meeting up.

New Business

It was brought to the attention of the Board that there are some schools in the state running advertisements that state false and inaccurate information. The ads are also against regulations and can be deemed misleading or deceptive. Mr. Powers made a motion to have Dr. Barron investigate some of these schools and to also bring the advertisements in for the Board to review. Mr. Keene seconded that motion and it carried unanimously.

The Board has selected Acting Executive Director David Garr to respond and submit any supporting information for the questionnaire to the Auditor's Office.

Ms. Lane gave each member a copy of some proposed legislation provided by the Legislative Research Commission in regards to Proprietary Education Schools. Heather Combs spoke to the Board about reaching out the Representative Meeks and possibly offering Board input. Ms. Buckner went through House Bill 125 with the board and explained the Board should make notes and look for any revisions they personally would like to make. Ms. Buckner recommended at least one member meet with Rep. Meeks to review the proposed changes the Board would like to make.

Travel and Per Diem

Dr. Meade made a motion to approve travel and per diem for all members that attended today's meeting as well as any member that traveled on Board related business since the January meeting. Ms. Gordon seconded that motion and it carried unanimously.

Adjournment

Mr. Powers made a motion to adjourn the meeting. Ms. Gordon seconded that motion and it carried unanimously.

Meeting adjourned at 2:11pm.